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General Assembly

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Sixty-first session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 30
International cooperation in the peaceful uses of outer space

France:* draft resolution

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004 and 60/99 of 8 December 2005,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[1]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

* In its capacity as Chairman of the Committee on the Peaceful Uses of Outer Space.
[1] Resolution 2222 (XXI), annex.

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Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999,[2] and the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[3]

Taking note of the actions already taken as well as those to be embarked upon to further implement the recommendations of UNISPACE III, as reflected in resolution 59/2 and the Plan of Action of the Committee on the Peaceful Uses of Outer Space,[4]

Convinced that the use of space science and technology and their applications in such areas as telemedicine, tele-education, disaster management and environmental protection as well as other Earth observation applications contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, inter alia, poverty eradication,

Taking note in that regard that the 2005 World Summit recognized the important role that science and technology play in promoting sustainable development,[5]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-ninth session,[6]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-ninth session;[6]

2. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[7] to give consideration to ratifying or acceding to those treaties as well as incorporating them in their national legislation;

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[2] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19-30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

[3] See resolution 55/2.

[4] A/59/174, chap. VI.B.

[5] See resolution 60/1, para. 60.

[6] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20).

[7] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

3. *Notes* that, at its forty-fifth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 60/99;[8]

4. *Endorses* the recommendation of the Committee that the Legal Subcommittee, at its forty-sixth session, taking into account the concerns of all countries, in particular those of developing countries:

(a) Consider the following as regular agenda items:

(i) General exchange of views;

(ii) Status and application of the five United Nations treaties on outer space;

(iii) Information on the activities of international intergovernmental and non-governmental organizations relating to space law;

(iv) Matters relating to:

a. The definition and delimitation of outer space;

b. The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(b) Consider the following single issues/items for discussion:

(i) Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[9]

(ii) Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment;

(c) Consider the practice of States and international organizations in registering space objects in accordance with the workplan adopted by the Committee;[10]

5. *Notes* that the Legal Subcommittee, at its forty-sixth session, will submit its proposals to the Committee for new items to be considered by the Subcommittee at its forty-seventh session, in 2008;

6. *Also notes* that, in the context of paragraph 4 (a) (ii) above, the Legal Subcommittee, at its forty-sixth session, will reconvene its Working Group and review the need to extend the mandate of the Working Group beyond that session of the Subcommittee;

7. *Further notes* that, in the context of paragraph 4 (a) (iv) a. above, the Legal Subcommittee will reconvene its Working Group on the item only to consider matters relating to the definition and delimitation of outer space;

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[8] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), chap. II.D.

[9] See resolution 47/68.

[10] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 199.

8. *Notes* that, in the context of paragraph 4 (c) above, the Legal Subcommittee will reconvene its Working Group;

9. *Also notes* that the Scientific and Technical Subcommittee, at its forty-third session, continued its work as mandated by the General Assembly in its resolution 60/99;[11]

10. *Endorses* the recommendation of the Committee that the Scientific and Technical Subcommittee, at its forty-fourth session, taking into account the concerns of all countries, in particular those of developing countries:

(a) Consider the following items:

(i) General exchange of views and introduction to reports submitted on national activities;

(ii) United Nations Programme on Space Applications;

(iii) Implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III);

(iv) Matters relating to remote sensing of the Earth by satellite, including applications for developing countries and monitoring of the Earth's environment;

(b) Consider the following items in accordance with the workplans adopted by the Committee:[12]

(i) Space debris;

(ii) Use of nuclear power sources in outer space;

(iii) Near-Earth objects;

(iv) Space-system-based disaster management support;

(v) International Heliophysical Year 2007;

(c) Consider the following single issue/item for discussion: examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including in the field of space communications, as well as other questions relating to developments in space communications, taking particular account of the needs and interests of developing countries;

11. *Notes* that the Scientific and Technical Subcommittee, at its forty-fourth session, will submit its proposal to the Committee for a draft provisional agenda for the forty-fifth session of the Subcommittee, in 2008;

12. *Endorses* the recommendation of the Committee that the Committee on Space Research and the International Astronautical Federation, in liaison with member States, be invited to arrange a symposium to address the theme "The use of the equatorial orbit for space applications: challenges and opportunities", with as

[11] Ibid., *Sixty-first Session, Supplement No. 20* (A/61/20), chap. II.C.

[12] See A/AC.105/848, annex II, para. 6, for item (i); ibid., annex III, para. 8, for item (ii); A/AC.105/848, annex I, para. 20, and A/AC.105/869, annex I, para. 22, for item (iii); A/AC.105/823, annex II, para. 15, and A/AC.105/848, annex I, para. 21, for item (iv); and A/AC.105/848, annex I, para. 22, for item (v).

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wide participation as possible, to be held during the first week of the forty-fourth session of the Scientific and Technical Subcommittee;

13. *Agrees* that, in the context of paragraphs 10 (a) (ii) and (iii) and 11 above, the Scientific and Technical Subcommittee, at its forty-fourth session, should reconvene the Working Group of the Whole;

14. *Also agrees* that, in the context of paragraph 10 (b) (i) above, the Scientific and Technical Subcommittee could, at any time during its forty-fourth session, reconvene its Working Group on Space Debris to consider comments resulting from the referral of the guidelines to the national level and any further developments, particularly the relationship between the revised draft space debris mitigation guidelines and nuclear power sources in outer space;[13]

15. *Further agrees* that, in the context of paragraph 10 (b) (ii) above, the Scientific and Technical Subcommittee, at its forty-fourth session, should reconvene its Working Group on the Use of Nuclear Power Sources in Outer Space and that the Working Group should continue its intersessional work on the topics described in the multi-year workplan as amended by the Subcommittee at its forty-second session and as agreed by the Subcommittee at its forty-third session and the Committee at its forty-ninth session;[14]

16. *Agrees* that, in the context of paragraph 10 (b) (iii) above, the Scientific and Technical Subcommittee, at its forty-fourth session, should establish, for one year, a working group on near-Earth objects, in accordance with the workplan under this item;[15]

17. *Endorses* the United Nations Programme on Space Applications for 2007, as proposed to the Committee by the Expert on Space Applications and endorsed by the Committee;[16]

18. *Notes with satisfaction* that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the African regional centres for space science and technology education, in the French language and in the English language, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, entered into an affiliation agreement with the Office for Outer Space Affairs of the Secretariat and have continued their education programmes in 2006;

19. *Agrees* that the regional centres referred to in paragraph 18 above should continue to report to the Committee on their activities on an annual basis;

20. *Notes with satisfaction* the contribution being made by the Scientific and Technical Subcommittee and the efforts of Member States and the Office for Outer Space Affairs to promote and support the activities being organized within the framework of the International Heliophysical Year 2007;

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[13] See A/AC.105/869, para. 101, and annex II, para. 8.

[14] See A/AC.105/848, annex III, para. 8, A/AC.105/869, annex III, and *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20) paras. 139-141.

[15] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), para. 178.

[16] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), paras. 81 and 87; see also A/AC.105/861, sections II and III and annex III.

21. *Also notes with satisfaction* that the African Leadership Conference on Space Science and Technology for Sustainable Development, the first of which was hosted by the Government of Nigeria in collaboration with the Governments of Algeria and South Africa from 23 to 25 November 2005, will be held on a biennial basis;

22. *Further notes with satisfaction* that the Government of Ecuador successfully hosted the Fifth Space Conference of the Americas in Quito from 25 to 28 July 2006, that on 28 and 29 March 2006 the Government of Chile organized a preparatory meeting for that Conference, with the support of the Government of Colombia, the United Nations Educational, Scientific and Cultural Organization and the Office for Outer Space Affairs, and that the Sixth Space Conference of the Americas will be held in Guatemala in 2009;

23. *Notes with satisfaction* that the Convention on the establishment of the Asia-Pacific Space Cooperation Organization was opened for signature in Beijing on 28 October 2005, that as at 1 June 2006 the Convention had been signed by nine States and that once the Convention has been ratified by five States, it will enter into force, thereby establishing the organization, with its headquarters in Beijing;

24. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

25. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

26. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

27. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare, as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development";[2]

28. *Reiterates* that the benefits of space technology and its applications should be prominently brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted towards achieving the objectives of those conferences and summits and for implementing the United Nations Millennium Declaration;[3]

29. *Takes note* of the report pf the Secretary-General on the inclusion of the issue of the use of space technology in the reports submitted by the Secretary-General to major United Nations conferences and summits for economic, social and cultural development, and its inclusion in the outcomes and commitments of those conferences and summits;[17]

30. *Notes with satisfaction* the increased efforts of the Committee and its Scientific and Technical Subcommittee as well as the Office for Outer Space Affairs and the Inter-Agency Meeting on Outer Space Activities to promote the use of space science and technology and their applications in carrying out actions recommended in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation");[18]

31. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration;

32. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee and its Scientific and Technical Subcommittee on the work conducted at its annual sessions;

33. *Notes with satisfaction* that the open informal meetings, held in conjunction with the annual sessions of the Inter-Agency Meeting on Outer Space Activities and in which representatives of member States and observers in the Committee participate, provide a constructive mechanism for an active dialogue between the entities of the United Nations system and member States and observers in the Committee;

34. *Encourages* entities of the United Nations system to participate fully in the work of the Inter-Agency Meeting on Outer Space Activities;

35. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-second session, and agrees that during its consideration of the matter, the Committee could continue to consider ways to promote regional and interregional cooperation based on experiences stemming from the Space Conference of the Americas, the African Leadership Conference on Space Science and Technology for Sustainable Development and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

36. *Notes with satisfaction* that the Committee established a closer link between its work to implement the recommendations of UNISPACE III and the work of the Commission on Sustainable Development by contributing to the thematic areas that are addressed by the Commission;

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[17] [document reference to be inserted]

[18] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

37. *Agrees* that the Director of the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat should be invited to participate in the sessions of the Committee to inform it how it could best contribute to the work of the Commission and that the Director of the Office for Outer Space Affairs should participate in the sessions of the Commission on Sustainable Development to raise awareness and promote the benefits of space science and technology for sustainable development;

38. *Notes with appreciation* that the International Committee on Global Navigation Satellite Systems was established on a voluntary basis as an informal body to promote cooperation, as appropriate, on matters of mutual interest related to civil satellite-based positioning, navigation, timing and value-added services, as well as the compatibility and interoperability of global navigation satellite systems, while increasing their use to support sustainable development, particularly in developing countries;

39. *Notes* the fact that the Office for Outer Space Affairs could integrate into its programme of work a number of actions identified for implementation by the Office in the Plan of Action of the Committee for the further implementation of the recommendations of UNISPACE III[19] and that some of those actions could be integrated into its programme of work only if additional staff and financial resources were provided;[20]

40. *Urges* all Member States to contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office to provide technical and legal advisory services and initiate pilot projects in accordance with the Plan of Action of the Committee, while maintaining the priority thematic areas agreed by the Committee;

41. *Agrees* that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as a part of its consideration of the United Nations Programme on Space Applications under the agenda item entitled "Report of the Scientific and Technical Subcommittee" and invites Member States to report on their activities regarding the System;

42. *Requests* the Committee to continue to consider, at its fiftieth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

43. *Also requests* the Committee, in view of the importance of space and education, to continue to consider, at its fiftieth session, under its agenda item entitled "Space and society", the special theme for the focus of discussions for the period 2004-2006 "Space and education", in accordance with the workplan adopted by the Committee;[21]

44. *Agrees* that the Committee should continue to consider, at its fiftieth session, its agenda item entitled "Space and water";

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[19] See A/AC.105/L.262.

[20] Ibid., annex, para. 6.

[21] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 239, and *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), paras. 245 and 260.

45. *Also agrees* that a symposium on space and water should be held during the fiftieth session of the Committee;

46. *Notes with satisfaction* that the Committee agreed to consider, at its fiftieth session, under its agenda item "Other matters", the issue of the future role and activities of the Committee and noted that the Chairman of the Committee could conduct intersessional, open-ended informal consultations with a view to presenting to the Committee a list of elements that could be taken into consideration at its next session;

47. *Agrees* to include a new item on the agenda of the Committee at its fiftieth session, entitled "International cooperation in promoting the use of space-derived geospatial data for sustainable development", under a multi-year workplan;[22]

48. *Also agrees* that a panel on space exploration activities, including the participation of the private sector, should be held during the fiftieth session of the Committee;

49. *Notes with satisfaction* that in accordance with the agreement reached by the Committee at its forty-sixth session on the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies,[23] on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies,[24] the Group of African States, the Group of Asian States, the Group of Eastern European States, the Group of Latin American and Caribbean States and the Group of Western European and Other States have nominated their candidates for the offices of Chair of the Scientific and Technical Subcommittee, First Vice-Chair of the Committee, Chair of the Legal Subcommittee, Chair of the Committee and Second Vice-Chairman/Rapporteur of the Committee, respectively, for the period 2008-2009;

50. *Endorses* the composition of the bureaux of the Committee and its subsidiary bodies for the period 2008-2009, as reflected in paragraph 49 above, and agrees that the Committee and its Subcommittees should elect their officers at their respective sessions in 2008 in accordance with that composition;

51. *Notes* that each of the regional groups has the responsibility to actively promote the participation in the work of the Committee and its subsidiary bodies of the member States of the Committee that are also members of the respective regional groups, and agrees that the regional groups should consider this Committee-related matter among their members;

52. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies.

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[22] Ibid., *Sixty-first Session, Supplement No. 20* (A/61/20), paras. 301-303.

[23] Ibid., *Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, paras. 4-9.

[24] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I; see also *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, appendix III.

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France:* revised draft resolution

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004 and 60/99 of 8 December 2005,

Deeply convinced of the common interest of mankind in promoting and expanding the exploration and use of outer space, as the province of all mankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[1]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion and strengthening of international cooperation in the exploration and use of outer space for peaceful purposes,

* In its capacity as Chairman of the Committee on the Peaceful Uses of Outer Space.

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Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further developing the legal framework to strengthen international cooperation in this field,

Convinced of the importance of the recommendations in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development", adopted by the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III), held at Vienna from 19 to 30 July 1999, [2] and the need to promote the use of space technology towards implementing the United Nations Millennium Declaration,[3]

Taking note of the actions already taken as well as those to be embarked upon to further implement the recommendations of UNISPACE III, as reflected in resolution 59/2 and the Plan of Action of the Committee on the Peaceful Uses of Outer Space,[4]

Convinced that the use of space science and technology and their applications in such areas as telemedicine, tele-education, disaster management and environmental protection as well as other Earth observation applications contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, inter alia, poverty eradication,

Taking note in that regard that the 2005 World Summit recognized the important role that science and technology play in promoting sustainable development,[5]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-ninth session,[6]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its forty-ninth session;[6]

2. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[7] to give consideration to ratifying or acceding to those treaties as well as incorporating them in their national legislation;

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[2] See *Report of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 19-30 July 1999* (United Nations publication, Sales No. E.00.I.3), chap. I, resolution 1.

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[4] A/59/174, chap. VI.B.

[5] See resolution 60/1, para. 60.

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[7] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

3. *Notes* that, at its forty-fifth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space continued its work, as mandated by the General Assembly in its resolution 60/99;[8]

4. *Endorses* the recommendation of the Committee that the Legal Subcommittee, at its forty-sixth session, taking into account the concerns of all countries, in particular those of developing countries:

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(i) General exchange of views;

(ii) Status and application of the five United Nations treaties on outer space;

(iii) Information on the activities of international intergovernmental and non-governmental organizations relating to space law;

(iv) Matters relating to:

a. The definition and delimitation of outer space;

b. The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(b) Consider the following single issues/items for discussion:

(i) Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[9]

(ii) Examination and review of the developments concerning the draft protocol on matters specific to space assets to the Convention on International Interests in Mobile Equipment;

(c) Consider the practice of States and international organizations in registering space objects in accordance with the workplan adopted by the Committee;[10]

5. *Notes* that the Legal Subcommittee, at its forty-sixth session, will submit its proposals to the Committee for new items to be considered by the Subcommittee at its forty-seventh session, in 2008;

6. *Also notes* that, in the context of paragraph 4 (a) (ii) above, the Legal Subcommittee, at its forty-sixth session, will reconvene its Working Group and review the need to extend the mandate of the Working Group beyond that session of the Subcommittee;

7. *Further notes* that, in the context of paragraph 4 (a) (iv) a. above, the Legal Subcommittee will reconvene its Working Group on the item only to consider matters relating to the definition and delimitation of outer space;

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[8] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), chap. II.D.

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[10] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 199.

8. *Notes* that, in the context of paragraph 4 (c) above, the Legal Subcommittee will reconvene its Working Group;

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(iii) Near-Earth objects;

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(v) International Heliophysical Year 2007;

(c) Consider the following single issue/item for discussion: examination of the physical nature and technical attributes of the geostationary orbit and its utilization and applications, including in the field of space communications, as well as other questions relating to developments in space communications, taking particular account of the needs and interests of developing countries;

11. *Notes* that the Scientific and Technical Subcommittee, at its forty-fourth session, will submit its proposal to the Committee for a draft provisional agenda for the forty-fifth session of the Subcommittee, in 2008;

12. *Endorses* the recommendation of the Committee that the Committee on Space Research and the International Astronautical Federation, in liaison with member States, be invited to arrange a symposium to address the theme "The use of the equatorial orbit for space applications: challenges and opportunities", with as

[11] Ibid., *Sixty-first Session, Supplement No. 20* (A/61/20), chap. II.C.

[12] See A/AC.105/848, annex II, para. 6, for item (i); ibid., annex III, para. 8, for item (ii); A/AC.105/848, annex I, para. 20, and A/AC.105/869, annex I, para. 22, for item (iii); A/AC.105/823, annex II, para. 15, and A/AC.105/848, annex I, para. 21, for item (iv); and A/AC.105/848, annex I, para. 22, for item (v).

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wide participation as possible, to be held during the first week of the forty-fourth session of the Scientific and Technical Subcommittee;

13. *Agrees* that, in the context of paragraphs 10 (a) (ii) and (iii) and 11 above, the Scientific and Technical Subcommittee, at its forty-fourth session, should reconvene the Working Group of the Whole;

14. *Also agrees* that, in the context of paragraph 10 (b) (i) above, the Scientific and Technical Subcommittee could, at any time during its forty-fourth session, reconvene its Working Group on Space Debris to consider comments resulting from the referral of the guidelines to the national level and any further developments, particularly the relationship between the revised draft of the space debris mitigation guidelines and nuclear power sources in outer space;[13]

15. *Further agrees* that, in the context of paragraph 10 (b) (ii) above, the Scientific and Technical Subcommittee, at its forty-fourth session, should reconvene its Working Group on the Use of Nuclear Power Sources in Outer Space and that the Working Group should continue its intersessional work on the topics described in the multi-year workplan as amended by the Subcommittee at its forty-second session and as agreed by the Subcommittee at its forty-third session and the Committee at its forty-ninth session;[14]

16. *Agrees* that, in the context of paragraph 10 (b) (iii) above, the Scientific and Technical Subcommittee, at its forty-fourth session, should establish, for one year, a working group on near-Earth objects, in accordance with the workplan under this item;[15]

17. *Endorses* the United Nations Programme on Space Applications for 2007, as proposed to the Committee by the Expert on Space Applications and endorsed by the Committee;[16]

18. *Notes with satisfaction* that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the African regional centres for space science and technology education, in the French language and in the English language, located in Morocco and Nigeria, respectively, as well as the Centre for Space Science and Technology Education in Asia and the Pacific and the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, entered into an affiliation agreement with the Office for Outer Space Affairs of the Secretariat and have continued their education programmes in 2006;

19. *Agrees* that the regional centres referred to in paragraph 18 above should continue to report to the Committee on their activities on an annual basis;

20. *Notes with satisfaction* the contribution being made by the Scientific and Technical Subcommittee and the efforts of Member States and the Office for Outer Space Affairs to promote and support the activities being organized within the framework of the International Heliophysical Year 2007;

[13] See A/AC.105/869, para. 101, and annex II, para. 8.

[14] See A/AC.105/848, annex III, para. 8; A/AC.105/869, annex III; and *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), paras. 139-141.

[15] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), para. 178.

[16] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), paras. 81 and 87; see also A/AC.105/861, sections II and III and annex III.

21. *Also notes with satisfaction* that the African Leadership Conference on Space Science and Technology for Sustainable Development, the first of which was hosted by the Government of Nigeria in collaboration with the Governments of Algeria and South Africa from 23 to 25 November 2005, will be held on a biennial basis;

22. *Notes with appreciation* that the Fifth Space Conference of the Americas was held in Quito from 25 to 28 July 2006 under the auspices of the Office for Outer Space Affairs, the European Space Agency and the United Nations Educational, Scientific and Cultural Organization, and that the Government of Chile held a preparatory meeting for that Conference on 28 and 29 March 2006, with support from the Government of Colombia; notes that the theme of the Fifth Conference was "Regional space cooperation for security and human development" and that its results were set out in the Declaration of San Francisco de Quito and in the Plan of Action of the Conference; notes also that Ecuador will serve as secretariat pro tempore of the Conference for a period of three years, during which it will be responsible for the implementation of the recommended activities and programmes, for which purpose it will work in cooperation with the international group of experts; and notes further that the Sixth Space Conference of the Americas will be held in Guatemala in 2009;

23. *Notes with satisfaction* that the Convention on the establishment of the Asia-Pacific Space Cooperation Organization was opened for signature in Beijing on 28 October 2005, that as at 1 June 2006 the Convention had been signed by nine States and that once the Convention has been ratified by five States, it will enter into force, thereby establishing the organization, with its headquarters in Beijing;

24. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

25. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

26. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including mitigation of the consequences of disasters, in particular in the developing countries;

27. *Notes* that space science and technology and their applications could make important contributions to economic, social and cultural development and welfare, as indicated in the resolution entitled "The Space Millennium: Vienna Declaration on Space and Human Development";[2]

28. *Reiterates* that the benefits of space technology and its applications should be prominently brought to the attention, in particular, of the major United Nations conferences and summits for economic, social and cultural development and related fields and that the use of space technology should be promoted towards achieving the objectives of those conferences and summits and for implementing the United Nations Millennium Declaration,[1]

29. *Takes note* of the report of the Secretary-General on the inclusion of the issue of the use of space technology in the reports submitted by the Secretary-General to major United Nations conferences and summits for economic, social and cultural development, and its inclusion in the outcomes and commitments of those conferences and summits;[17]

30. *Notes with satisfaction* the increased efforts of the Committee and its Scientific and Technical Subcommittee as well as the Office for Outer Space Affairs and the Inter-Agency Meeting on Outer Space Activities to promote the use of space science and technology and their applications in carrying out actions recommended in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation");[18]

31. *Urges* entities of the United Nations system, particularly those participating in the Inter-Agency Meeting on Outer Space Activities, to examine, in cooperation with the Committee, how space science and technology and their applications could contribute to implementing the United Nations Millennium Declaration, particularly in the areas relating to, inter alia, food security and increasing opportunities for education;

32. *Invites* the Inter-Agency Meeting on Outer Space Activities to continue to contribute to the work of the Committee and to report to the Committee and its Scientific and Technical Subcommittee on the work conducted at its annual sessions;

33. *Notes with satisfaction* that the open informal meetings, held in conjunction with the annual sessions of the Inter-Agency Meeting on Outer Space Activities and in which representatives of member States and observers in the Committee participate, provide a constructive mechanism for an active dialogue between the entities of the United Nations system and member States and observers in the Committee;

34. *Encourages* entities of the United Nations system to participate fully in the work of the Inter-Agency Meeting on Outer Space Activities;

35. *Notes* that space technology could play a central role in disaster reduction;

36. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its sixty-second session, and agrees that during its consideration of the matter, the Committee could continue to consider ways to promote regional and interregional cooperation based on experiences stemming

[17] A/61/495.

[18] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

from the Space Conference of the Americas, the African Leadership Conference on Space Science and Technology for Sustainable Development and the role space technology could play in the implementation of recommendations of the World Summit on Sustainable Development;

37. *Notes with satisfaction* that the Committee established a closer link between its work to implement the recommendations of UNISPACE III and the work of the Commission on Sustainable Development by contributing to the thematic areas that are addressed by the Commission;

38. *Agrees* that the Director of the Division for Sustainable Development of the Department of Economic and Social Affairs of the Secretariat should be invited to participate in the sessions of the Committee to inform it how it could best contribute to the work of the Commission and that the Director of the Office for Outer Space Affairs should participate in the sessions of the Commission on Sustainable Development to raise awareness and promote the benefits of space science and technology for sustainable development;

39. *Notes with appreciation* that the International Committee on Global Navigation Satellite Systems was established on a voluntary basis as an informal body to promote cooperation, as appropriate, on matters of mutual interest related to civil satellite-based positioning, navigation, timing and value-added services, as well as the compatibility and interoperability of global navigation satellite systems, while increasing their use to support sustainable development, particularly in developing countries;

40. *Notes* the fact that the Office for Outer Space Affairs could integrate into its programme of work a number of actions identified for implementation by the Office in the Plan of Action of the Committee for the further implementation of the recommendations of UNISPACE III[19] and that some of those actions could be integrated into its programme of work only if additional staff and financial resources were provided;[20]

41. *Urges* all Member States to contribute to the Trust Fund for the United Nations Programme on Space Applications to enhance the capacity of the Office to provide technical and legal advisory services and initiate pilot projects in accordance with the Plan of Action of the Committee, while maintaining the priority thematic areas agreed by the Committee;

42. *Agrees* that the Committee should continue to consider a report on the activities of the International Satellite System for Search and Rescue as a part of its consideration of the United Nations Programme on Space Applications under the agenda item entitled "Report of the Scientific and Technical Subcommittee" and invites Member States to report on their activities regarding the System;

43. *Requests* the Committee to continue to consider, at its fiftieth session, its agenda item entitled "Spin-off benefits of space technology: review of current status";

44. *Also requests* the Committee, in view of the importance of space and education, to continue to consider, at its fiftieth session, under its agenda item

[19] See A/AC.105/L.262.

[20] Ibid., annex, para. 6.

entitled "Space and society", the special theme for the focus of discussions for the period 2004-2006 "Space and education", in accordance with the workplan adopted by the Committee;[21]

45. *Agrees* that the Committee should continue to consider, at its fiftieth session, its agenda item entitled "Space and water";

46. *Also agrees* that a symposium on space and water should be held during the fiftieth session of the Committee;

47. *Notes with satisfaction* that the Committee agreed to consider, at its fiftieth session, under its agenda item "Other matters", the issue of the future role and activities of the Committee and noted that the Chairman of the Committee could conduct intersessional, open-ended informal consultations with a view to presenting to the Committee a list of elements that could be taken into consideration at its next session;

48. *Agrees* to include a new item on the agenda of the Committee at its fiftieth session, entitled "International cooperation in promoting the use of space-derived geospatial data for sustainable development", under a multi-year workplan;[22]

49. *Also agrees* that a panel on space exploration activities, including the participation of the private sector, should be held during the fiftieth session of the Committee;

50. *Notes with satisfaction* that in accordance with the agreement reached by the Committee at its forty-sixth session on the measures relating to the future composition of the bureaux of the Committee and its subsidiary bodies,[23] on the basis of the measures relating to the working methods of the Committee and its subsidiary bodies,[24] the Group of African States, the Group of Asian States, the Group of Eastern European States, the Group of Latin American and Caribbean States and the Group of Western European and Other States have nominated their candidates for the offices of Chair of the Scientific and Technical Subcommittee, First Vice-Chair of the Committee, Chair of the Legal Subcommittee, Chair of the Committee and Second Vice-Chairman/Rapporteur of the Committee, respectively, for the period 2008-2009;

51. *Endorses* the composition of the bureaux of the Committee and its subsidiary bodies for the period 2008-2009, as reflected in paragraph 50 above, and agrees that the Committee and its Subcommittees should elect their officers at their respective sessions in 2008 in accordance with that composition;

52. *Notes* that each of the regional groups has the responsibility to actively promote the participation in the work of the Committee and its subsidiary bodies of the member States of the Committee that are also members of the respective

[21] *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), para. 239, and *Official Records of the General Assembly, Sixty-first Session, Supplement No. 20* (A/61/20), paras. 245 and 260.

[22] Ibid., *Sixty-first Session, Supplement No. 20* (A/61/20), paras. 301-303.

[23] Ibid., *Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, paras. 4-9.

[24] Ibid., *Fifty-second Session, Supplement No. 20* (A/52/20), annex I; see also *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 20* (A/58/20), annex II, appendix III.

regional groups, and agrees that the regional groups should consider this Committee-related matter among their members;

53. *Requests* entities of the United Nations system and other international organizations to continue and, where appropriate, to enhance their cooperation with the Committee and to provide it with reports on the issues dealt with in the work of the Committee and its subsidiary bodies.

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General Assembly

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Sixty-first session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 38
Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

Algeria, Argentina, China, Cuba, Ghana, India, Iran (Islamic Republic of), Nigeria, Philippines, Singapore, Thailand and United Republic of Tanzania: draft resolution

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 60/113 of 8 December 2005,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[1] prepared pursuant to its resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential in order to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;[1]

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

[1] A/61/66.

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4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

United Nations A/C.4/61/L.5

General Assembly

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5 October 2006

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Sixty-first session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 39

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Algeria, Angola, Antigua and Barbuda, Botswana, Cuba, Dominica, Fiji, Grenada, Jamaica, Kenya, Lesotho, Liberia, Mozambique, Namibia, Nigeria, Rwanda, Saint Lucia, South Africa, Timor-Leste, Uganda, United Republic of Tanzania, Venezuela, Zambia and Zimbabwe: draft resolution

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 60/114 of 8 December 2005,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,[1]

Recalling Security Council resolutions 1359 (2001) of 29 June 2001 and 1429 (2002) of 30 July 2002, as well as 1495 (2003) of 31 July 2003, in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara[2] as an optimum political solution on the basis of agreement between the two parties, and resolutions 1541 (2004) of 29 April 2004, 1570 (2004)

[1] See S/21360 and S/22464 and Corr.1.

[2] S/2003/565 and Corr.1, annex II.

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of 28 October 2004, 1598 (2005) of 28 April 2005, 1634 (2005) of 28 October 2005 and 1675 (2006) of 28 April 2006,

Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General concerning the peace plan contained in the report of the Secretary-General of 23 May 2003,[3]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[4]

Having also examined the report of the Secretary-General,[5]

1. *Takes note* of the report of the Secretary-General;[5]

2. *Underlines* Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;

3. *Underlines also* that the parties reacted differently to this plan;

4. *Continues to support strongly* the efforts of the Secretary-General and his Personal Envoy to achieve a mutually acceptable political solution to the dispute over Western Sahara;

5. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

6. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

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[3] S/2003/565 and Corr.1.

[4] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. VIII.

[5] A/60/116.

7. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara;

8. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of the people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

9. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-second session;

10. *Invites* the Secretary-General to submit to the General Assembly at its sixty-second session a report on the implementation of the present resolution.

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Sixty-first session
Fourth Committee
Agenda item 39
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft decision submitted by the Chairman

Question of Gibraltar

The General Assembly, recalling its decision 60/525 of 8 December 2005 and the statements agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland in Brussels on 27 November 1984,[1] and in Madrid on 27 October 2004, and noting the establishment, pursuant to the latter, of the tripartite Forum for Dialogue on Gibraltar, separate from the Brussels Process, under the statement made jointly by the Governments of Spain, the United Kingdom and Gibraltar on 16 December 2004:

(a) Urges both Governments, while listening to the interests and aspirations of Gibraltar, to reach, in the spirit of the 27 November 1984 statement, a definitive solution to the question of Gibraltar, in the light of relevant resolutions of the General Assembly and applicable principles, and in the spirit of the Charter of the United Nations;

(b) Welcomes the successful outcome of the first package of measures concluded in the tripartite Forum for Dialogue on Gibraltar.

[1] A/39/732, annex.

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United Nations A/C.4/61/L.7

General Assembly

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Sixty-first session

Special Political and Decolonization Committee (Fourth Committee)

Agenda item 29

Effects of atomic radiation

Argentina, Armenia, Australia, Austria, Belarus, Brazil, Canada, Chile, China, Cuba, Czech Republic, Finland, France, Greece, Guatemala, India, Japan, Mexico, Netherlands, Pakistan, Peru, Poland, Russian Federation, Singapore, Spain, Sweden, Switzerland, Thailand, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution

Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 60/98 of 8 December 2005, in which, inter alia, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the work of the Scientific Committee, and of the release of its report on its fifty-fourth session,[1]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Noting the views expressed by Member States at its sixtieth session with regard to the work of the Scientific Committee,

Noting that some Member States have expressed particular interest in becoming members of the Scientific Committee, and expressing its intention to consider the issue further at its next session,

[1] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 46* (A/61/46).

06-58388 (E) 261006

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past fifty-one years, since its inception, to wider knowledge and understanding of the levels, effects and risks of ionizing radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Takes note with appreciation* of the work of the Scientific Committee and of the release of its extensive report to the General Assembly, with scientific annexes, which provides the scientific and world community with the Committee's latest evaluations of the effects of ionizing radiation on human beings;

4. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

5. *Endorses* the intentions and plans of the Scientific Committee for completing its present programme of work of scientific review and assessment on behalf of the General Assembly, and requests the Scientific Committee to submit plans for its future programme of work to the General Assembly at its sixty-second session;

6. *Requests* the Scientific Committee to continue at its next session the review of the important problems in the field of ionizing radiation and to report thereon to the General Assembly at its sixty-second session;

7. *Emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States;

8. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

9. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the Secretariat to facilitate such consultations;

10. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of ionizing radiation in affected areas, and invites the Scientific Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

11. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

12. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

13. *Urges* the United Nations Environment Programme to review and strengthen the present funding of the Scientific Committee, pursuant to paragraph 11 of resolution 60/98, and continue to seek out and consider alternative funding mechanisms to complement existing ones, so that the Committee can discharge the responsibilities and mandate entrusted to it by the General Assembly;

14. *Invites* those Member States that desire to join the Scientific Committee to inform the President of the General Assembly, before 28 February 2007, of their interest, and decides to further consider the question of membership of the Scientific Committee in all its aspects, including financial implications, at the next session.

United Nations A/C.4/61/L.8

General Assembly

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Sixty-first session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 28
University for Peace

Belize, Chile, Congo, Costa Rica, Croatia, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Honduras, Mexico, Morocco, Nicaragua, Paraguay, Peru and Uruguay: draft resolution

University for Peace

The General Assembly,

Recalling its resolution 58/12 of 10 November 2003, in which it recalled that, in its resolution 34/111 of 14 December 1979, it had approved the idea of establishing the University for Peace as a specialized international centre for higher education, research and the dissemination of knowledge relative to peace and its universal promotion within the United Nations system, and in which it also recalled its resolution 35/55 of 5 December 1980, in which it approved the establishment of the University for Peace, as well as all preceding resolutions on this item,

Noting with appreciation the vigorous actions taken by the Secretary-General, in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and with the encouragement and support of the Government of Costa Rica, to revitalize the University,[1]

Recognizing the significant progress made in the implementation of the five-year revitalization programme, leading to the achievement of the targets established by the Council of the University for Peace, by building high-quality programmes on subjects related to peace and security and extending them to different regions of the world through networks of partner academic and research institutions,

Noting with appreciation that the future development strategy of the University focuses on consolidating the progress already made in developing and conducting innovative academic and training programmes and at the same time strengthening its collaborative arrangement in different regions of the world and promoting the sharing knowledge for peace programme, including distance learning and dissemination of toolkits for teaching, with a view to strengthening education for peace,

[1] See A/54/312, para. 2.

06-58645 (E) 261006

Noting with satisfaction the activities directed towards expanding the University's educational and research programmes to Africa, Asia and the Pacific, Central Asia and Latin America and the Caribbean,

Also noting with satisfaction the progress made in the development of teaching programmes at the master's level, short courses, programmes to disseminate course materials and distance education and the establishment of a digital library on peace-related issues,

Noting that the University has placed special emphasis on the areas of conflict prevention, peacekeeping, peacebuilding and the peaceful settlement of disputes, and that it has launched academic and training programmes in the areas of democratic consensus-building and the techniques of peaceful settlement of conflicts,

Noting also that the University has launched a broad programme for building a culture of peace worldwide in the context of the efforts being made by the United Nations and the United Nations Educational, Scientific and Cultural Organization for the development and promotion of a culture of peace,

Noting with appreciation the intensifying collaboration between the University and organizations and agencies of the United Nations, particularly the United Nations University, the United Nations Educational, Scientific and Cultural Organization, the Department of Political Affairs and the Department for Disarmament Affairs of the Secretariat, the United Nations Development Programme, the United Nations Institute for Training and Research and others,

Considering the importance of promoting education that fosters peaceful coexistence among people, including respect for the life, dignity and integrity of human beings, irrespective of their nationality, race, sex, religion or culture, as well as friendship and solidarity among peoples,

1. *Welcomes* the report of the Secretary-General outlining the progress made in revitalizing the University for Peace, especially in regard to implementation of the five-year programme of expansion and revitalization;[2]

2. *Requests* the Secretary-General, in view of the important work of the University for Peace and its potential role in developing new concepts and approaches to security through research, training and dialogue in order to respond effectively to emerging threats to peace, to consider ways to further strengthen cooperation between the United Nations and the University for Peace, and invites the University for Peace to consider ways to further strengthen its programmes and activities for cooperation with and capacity-building to Member States in the areas of conflict prevention, conflict resolution and peacebuilding;

3. *Also requests* the Secretary-General to continue using the services of the University as part of his conflict-resolution and peacebuilding efforts, in providing training to staff in building their capacities in this area and in the promotion of the Declaration and Programme of Action on a Culture of Peace;[3]

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[2] A/61/285.

[3] Resolutions 53/243 A and B.

4. *Encourages* Member States, intergovernmental bodies, non-governmental organizations and interested individuals to contribute to the programmes and core budget of the University to enable it to continue to perform its valuable work;

5. *Invites* Member States to accede to the International Agreement for the Establishment of the University for Peace,[4] thereby demonstrating their support for an educational institution devoted to the promotion of a universal culture of peace;

6. *Decides* to include in the provisional agenda of its sixty-fourth session the item entitled "University for Peace", and requests the Secretary-General to submit to the General Assembly at that session a report on the work of the University.

[4] See resolution 35/55, annex.

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Agenda item 31

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Austria, Bahrain, Bangladesh, Belgium, Comoros, Cuba, Cyprus, Denmark, Djibouti, Egypt, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Indonesia, Iraq, Ireland, Italy, Jordan, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Netherlands, Oman, Poland, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Slovakia, Slovenia, Somalia, South Africa, Spain, Sudan, Sweden, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Yemen and Palestine: draft resolution

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 60/100 of 8 December 2005,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further relevant Security Council resolutions,

Aware of the fact that, for more than five decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the United Nations Relief and Works Agency for Palestine Refugees in the Near East has played for more than fifty-six years since its establishment in ameliorating the plight of the Palestine refugees in the fields of education, health and relief and social services,

06-60470 (E) 081106

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2005,[1]

Aware of the continuing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and living conditions,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization[2] and the subsequent implementation agreements,

Aware of the important role to be played in the peace process by the Multilateral Working Group on Refugees of the Middle East peace process,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and that the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 2007;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services for the well-being of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to make the most generous efforts possible to meet the anticipated needs of the Agency, including with regard to increased expenditures arising from the deteriorating socio-economic and humanitarian situation in the region, particularly in the Occupied Palestinian Territory, and those mentioned in recent emergency appeals.

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[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 13* (A/61/13).

[2] A/48/486-S/26560, annex.

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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 60/101 of 8 December 2005,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2005,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 1993[3] with regard to the modalities for

[1] A/61/358.

[2] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 13* (A/61/13).

[3] A/48/486-S/26560, annex.

06-60484 (E) 081106

the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses deep concern* that the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 1993[3] on the return of displaced persons has not been complied with, and stresses the necessity for an accelerated return of displaced persons;

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a tempo rary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its sixty-second session on the progress made with regard to the implementation of the present resolution.

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Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 60/102 of 8 December 2005,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2005,[1]

Taking note of the letter dated 28 September 2006 from the Chairperson of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General,[2]

Deeply concerned about the critical financial situation of the Agency, as well as about the rising expenditures of the Agency resulting from the deterioration of the socio-economic conditions in the region and their detrimental effect on the provision of necessary Agency services to the Palestine refugees, including its emergency-related and development programmes,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[3]

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[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 13* (A/61/13).
[2] Ibid., p. viii.
[3] Resolution 22 A (I).

06-60491 (E) 081106

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[4]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees throughout the Occupied Palestinian Territory and in the other fields of operation, namely Jordan, Lebanon and the Syrian Arab Republic,

Gravely concerned about the extremely difficult living conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, resulting, inter alia, from the loss of life and injury, the extensive destruction caused to their shelters, properties and vital infrastructure and the displacement of the Palestine refugees,

Aware of the extraordinary efforts being undertaken by the Agency for the repair or rebuilding of thousands of damaged or destroyed refugee shelters and for the provision of shelter for those refugee families internally displaced as a result of recent military attacks and incursions by the Israeli occupying forces,

Aware also of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Gravely concerned about the endangerment of the safety of the Agency's staff and about the damage caused to the facilities of the Agency as a result of Israeli military operations during the reporting period,

Deploring the killing of thirteen Agency staff members by the Israeli occupying forces since September 2000,

Deploring also the killing and wounding of refugee children, including in the Agency's schools, by the Israeli occupying forces,

Expressing deep concern about the policies of closure and severe restrictions that continue to be imposed on the movement of persons and goods throughout the Occupied Palestinian Territory, including East Jerusalem, as well as the continued construction of the wall, contrary to international law, in the Occupied Palestinian Territory, including in and around East Jerusalem, which have had a grave impact on the socio-economic situation of the Palestine refugees and have greatly contributed to the dire humanitarian crisis facing the Palestinian people,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement of the Agency's staff, vehicles and goods, and the harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide its essential basic and emergency services,

Recalling the signing, on 13 September 1993, of the Declaration of Principles on Interim Self-Government Arrangements by the Government of Israel and the Palestine Liberation Organization[6] and the subsequent implementation agreements,

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[4] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[5] Ibid., vol. 75, No. 973.

[6] A/48/486-S/26560, annex.

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[7]

Recalling the Geneva Conference convened by the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Swiss Agency for Development and Cooperation on 7 and 8 June 2004 to increase support for the United Nations Relief and Works Agency,

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all of the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions during the past year;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

3. *Takes note with appreciation* of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[8] and the efforts of the Working Group to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

4. *Commends* the continuing efforts of the Commissioner-General to increase the budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2007-2008;[9]

5. *Also commends* the organizational reform measures taken by the Agency to modernize and strengthen its management aimed at enhancing its ability to address the needs of the Palestine refugees;

6. *Endorses*, meanwhile, the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are internally displaced and in serious need of continued assistance as a result of recent incursions in the Occupied Palestinian Territory and hostilities in Lebanon;

7. *Acknowledges* the important support provided by the host Governments to the Agency in the discharge of its duties;

8. *Encourages* the Agency's further consideration of the needs and rights of children in its operations in accordance with the Convention on the Rights of the Child;[10]

9. *Expresses concern* about the temporary relocation of the international staff of the Agency from its headquarters in Gaza City and the disruption of operations at the headquarters;

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[7] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[8] A/61/347.

[9] To be issued.

[10] United Nations, *Treaty Series*, vol. 1577, No. 27531.

10. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[5]

11. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[3] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem;

12. *Urges* the Government of Israel to speedily compensate the Agency for damage to its property and facilities resulting from actions by the Israeli side and to immediately reimburse the Agency for port and related charges, including excessive storage, demurrage and transit charges, incurred by the Agency and other financial losses suffered by the Agency as a result of delays and restrictions on movement and access imposed by Israel;

13. *Calls upon* Israel particularly to cease obstructing the movement of the staff, vehicles and supplies of the Agency and to cease the levying of extra fees and charges, which affect the Agency's operations detrimentally;

14. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

15. *Affirms* that the functioning of the Agency remains essential in all the fields of operation;

16. *Notes* the success of the Agency's microfinance and microenterprise programmes, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all the fields of operation;

17. *Reiterates its request* to the Commissioner-General to proceed with the modernization of the archives of the Agency through the Palestine Refugee Records Project, and to indicate progress in her report to the General Assembly at its sixty-second session;

18. *Reiterates its previous appeals* to all States, specialized agencies and non-governmental organizations to continue and to augment the special allocations for grants and scholarships for higher education to Palestine refugees in addition to their contributions to the regular budget of the Agency and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

19. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the ongoing financial constraints, exacerbated by the current humanitarian situation on the ground, which have resulted in rising expenditures in particular with regard to emergency services, and to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation.

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Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted in pursuance of resolution 60/103 of 8 December 2005,[1]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 2005 to 31 August 2006,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

[1] A/61/278.
[2] See A/61/172.
[3] Resolution 217 A (III).

06-60509 (E) 081106

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the work done to preserve and modernize the existing records, including the land records, of the Conciliation Commission and the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

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[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex.

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Agenda item 32

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 60/104 of 8 December 2005, and the relevant resolutions of the Commission on Human Rights,

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a*

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

[2] Resolution 217 A (III).

[3] See resolution 2200 A (XXI), annex.

06-60523 (E) 081106

Wall in the Occupied Palestinian Territory,[4] and recalling in this regard General Assembly resolution ES-10/15 of 20 July 2004,

Convinced that occupation itself represents a gross and grave violation of human rights,

Gravely concerned about the continuing detrimental impact of the events that have taken place since 28 September 2000, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in thousands of deaths and injuries, the widespread destruction of property and vital infrastructure and the internal displacement of civilians,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Expressing the hope that the Israeli occupation will be brought to an early and complete end and that therefore the violation of the human rights of the Palestinian people will cease, and recalling in this regard its resolution 58/292 of 6 May 2004,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Reiterates* its demand that Israel, the occupying Power, cooperate, in line with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[5]

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns all Israeli settlement activities and the construction of the wall, as well as the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and

[4] See A/ES-10/273 and Corr.1.

[5] See A/61/500.

[6] A/61/327, A/61/328, A/61/329, A/61/330 and A/61/331.

[7] A/48/486-S/26560, annex.

human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-second session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including its resolution 60/105 of 8 December 2005,

Recalling also its resolution ES-10/15 of 20 July 2004,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and relevant provisions of customary law, including those codified in Additional Protocol I,[3] to the four Geneva Conventions,[4]

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[1] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[2] United Nations, *Treaty Series*, vol. 75, No. 973.

[3] Ibid., vol. 1125, No. 17512.

[4] Ibid., vol. 75, Nos. 970-973.

06-60463 (E) 081106

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[5] and the relevant reports of the Secretary-General,[6]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[7] and also recalling General Assembly resolution ES-10/15,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[2] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Noting the convening, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions, and stressing the importance of the Declaration adopted by the reconvened Conference on 5 December 2001 and the need for the parties to follow up the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[4] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[7] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

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[5] A/61/500.

[6] A/61/327-331.

[7] See A/ES-10/273 and Corr.1.

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 60/106 of 8 December 2005, as well as those resolutions adopted at its tenth emergency special session,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Considering that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

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Geneva Convention[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the Geneva Conventions, [3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[4] and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[5]

Taking note of the recent report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[6]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[7] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling also the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8] and noting specifically its call for a freeze on all settlement activity,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the exploitation of natural resources and other illegal actions against the Palestinian civilian population,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on efforts to achieve peace in the Middle East,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities throughout the Occupied Palestinian Territory, including in and around East Jerusalem, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties, and concerned in particular about the construction and expansion of the settlements in Jabal Abu-Ghneim and Ras Al-Amud in and around Occupied East Jerusalem and its intentions to proceed with the so-called E-1 plan, aimed at connecting its illegal settlements around and further isolating Occupied East Jerusalem,

Expressing grave concern also about the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern in particular about the route of the wall in departure from the Armistice Line of 1949, which could prejudge future negotiations and make the two-State solution physically impossible to implement

[2] Ibid., vol. 1125, No. 17512.
[3] Ibid., vol. 75, Nos. 970-973.
[4] See A/ES-10/273 and Corr.1.
[5] Ibid., advisory opinion, para. 120.
[6] See A/60/271.
[7] A/48/486-S/26560, annex.
[8] S/2003/529, annex.

and which is causing serious humanitarian hardship and the grave decline of socio-economic conditions for the Palestinian people,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Reiterating its opposition to settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and to any activities involving the confiscation of land, the disruption of the livelihood of protected persons and the de facto annexation of land,

Recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Gravely concerned about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of the settlements therein as a step towards the implementation of the road map,

Taking note of the relevant reports of the Secretary-General,[9]

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

4. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

5. *Emphasizes* the need for the parties to speedily resolve all remaining issues in the Gaza Strip, including the removal of rubble;

6. *Reiterates* its demand for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls for the full implementation of the relevant resolutions of the Security Council;

7. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[4]

[9] A/61/327-A/61/331 and A/61/500.

8. *Stresses* the need for full implementation of the relevant Security Council resolutions regarding the Israeli settlements, including Security Council resolution 904 (1994), in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

9. *Reiterates* its calls for the prevention of all acts of violence by Israeli settlers, especially against Palestinian civilians and properties, particularly in the light of recent developments;

10. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

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Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling its relevant resolutions, including resolution 60/107 of 8 December 2005, as well as those adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Commission on Human Rights and the Human Rights Council,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[1] and the report of the Secretary-General,[2]

Taking note of the recent reports of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied since 1967,[3]

[1] See A/61/500.

[2] A/61/329.

[3] See E/CN.4/2006/29 and A/61/470.

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Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[4] and recalling also General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Recalling the International Covenant on Civil and Political Rights,[5] the International Covenant on Economic, Social and Cultural Rights[5] and the Convention on the Rights of the Child[6] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[7] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm El-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[8]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 5 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Noting the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the importance of the dismantlement of settlements therein as a step towards the implementation of the road map,

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[4] See A/ES-10/273 and Corr.1.

[5] See resolution 2200 A (XXI), annex.

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[7] Ibid., vol. 75, No. 973.

[8] S/2003/529, annex.

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force, the use of collective punishment, the reoccupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of the wall inside the Occupied Palestinian Territory in departure from the Armistice Line of 1949, the destruction of property and infrastructure, and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the military actions that have been carried out since 28 September 2000 and that have led to thousands of deaths among Palestinian civilians, including hundreds of children, and tens of thousands of injuries,

Condemning in particular the large-scale military assaults carried out by Israel, the occupying Power, in recent months in the Gaza Strip, which have caused extensive loss of Palestinian civilian life, including among children, as well as the use of psychological warfare, through the use, amounting to an act of collective punishment, of sonic booms, which spread fear and panic among the civilian population,

Condemning the vast destruction caused by the Israeli occupying forces, including of religious, cultural and historical sites, of vital infrastructure and institutions of the Palestinian Authority, and of agricultural land throughout Palestinian cities, towns, villages and refugee camps, and expressing deep concern about the short- and long-term detrimental impact of such destruction on the socio-economic and humanitarian conditions of the Palestinian civilian population,

Expressing deep concern about the Israeli policy of closure and the severe restrictions, including curfews and the permit regime, that continue to be imposed on the movement of persons and goods, including medical and humanitarian personnel and goods, throughout the Occupied Palestinian Territory, including East Jerusalem, and the consequent negative impact on the socio-economic situation of the Palestinian people, which remains that of a dire humanitarian crisis,

Concerned about the continued establishment of Israeli checkpoints in the Occupied Palestinian Territory, including East Jerusalem, and the transformation of several of these checkpoints into structures akin to permanent border crossings inside the Occupied Palestinian Territory, which are destroying the territorial contiguity of the Territory and severely undermining efforts to rehabilitate and develop the Palestinian economy,

Expressing grave concern that thousands of Palestinians, including children and women, continue to be held in Israeli prisons or detention centres under harsh conditions that impair their well-being, and expressing concern about the ill treatment and harassment of any of the Palestinian prisoners and all reports of torture,

Welcoming the free and democratic Palestinian Legislative Council elections that were held on 25 January 2006,

Expressing deep concern about the arrest and detention of democratically elected Palestinian officials,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties implement the agreements reached and, in this regard, recalling the positive contribution of the Temporary International Presence in Hebron,

Stressing the necessity for the full implementation of all relevant Security Council resolutions,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[1] and cease immediately all measures and actions taken in violation and in breach of the Convention, including all of its settlement activities and the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, as well as the extrajudicial executions;

3. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in extensive loss of life and vast numbers of injuries, including among children, massive destruction of homes, properties, agricultural lands and vital infrastructure, and the internal displacement of civilians;

4. *Expresses grave concern* at the use of suicide bombing attacks against Israeli civilians resulting in extensive loss of life and injury;

5. *Notes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;[3]

6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

7. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, and that it respect human rights law and comply with its legal obligations in this regard;

8. *Welcomes* the free and democratic Palestinian Legislative Council elections that were held on 25 January 2006;

9. *Calls upon* Israel, the occupying Power, to release all Palestinians illegally detained and imprisoned, including children and women, and calls for the release of detained Palestinian officials;

10. *Calls for* the provision of emergency assistance to the Palestinian people to alleviate the dire humanitarian situation and financial crisis resulting from the extensive destruction caused by the Israeli occupying forces, the severe closures and

restrictions on movement, the suspension of aid and the withholding of tax revenues due to the Palestinian Authority;

11. *Emphasizes* the need to preserve the institutions of the Palestinian Authority and Palestinian infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of Palestinian civil, political, economic, social and cultural rights;

12. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice[4] and as demanded in resolutions ES-10/15 of 20 July 2004 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparation for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socio-economic living conditions of the Palestinian people;

13. *Stresses* the need for respect for the unity and territorial integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

14. *Also stresses* the need for the full implementation of the Sharm El-Sheikh understandings and the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 5 November 2005;

15. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

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Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Namibia, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and Palestine: draft resolution

The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 60/108 of 8 December 2005,

Having considered the report of the Secretary-General submitted in pursuance of resolution 60/108,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

[1] See A/61/500.

[2] A/61/327.

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Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its sixty-second session on the implementation of the present resolution.

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[3] United Nations, *Treaty Series*, vol. 75, No. 973.

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Israeli aggression in the Gaza Strip

The General Assembly,

Reaffirming Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 446 (1979) of 22 March 1979, 1322 (2000) of 7 October 2000, 1397 (2002) of 12 March 2002, 1402 (2002) of 30 March 2002, 1403 (2002) of 4 April 2002, 1405 (2002) of 19 April 2002, 1435 (2002) of 24 September 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Reaffirming the applicable rules and principles of international law, including humanitarian and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1]

Expressing its grave concern about the continued deterioration of the situation on the ground in the Palestinian territory occupied by Israel since 1967, particularly as a result of the excessive and indiscriminate use of force by Israel, the occupying Power, which has caused extensive loss of Palestinian civilian life and injuries, including among children,

Condemning the large-scale military assault being carried out by Israel, the occupying Power, in the Gaza Strip, which has caused the vast destruction of Palestinian property and civilian infrastructure,

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

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1. *Demands* that Israel, the occupying Power, immediately cease its aggression against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, and immediately withdraw its forces from within the Gaza Strip to positions prior to 28 June 2006;

2. *Calls upon* Israel, the occupying Power, to scrupulously abide by its obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[1]

3. *Emphasizes* the need to preserve the institutions of the Palestinian National Authority and Palestinian infrastructure and properties;

4. *Expresses grave concern* about the dire humanitarian situation of the Palestinian people, and calls for the provision of emergency assistance to them;

5. *Calls upon* the international community, including the Quartet, to take immediate steps, including confidence-building measures between the parties, with the objective of resuming peace negotiations and restarting the peace process;

6. *Requests* the Secretary-General to report to the General Assembly on the implementation of the present resolution within one month.